

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/DTS)

This Document Relates to:
16-cv-00521 (*Villafranco v. 3M Co., et al.*)

**PLAINTIFF LEONARD VILLAFRANCO'S RESPONSE TO DEFENDANTS'
OPPOSITION FOR MOTION FOR RELIEF FROM JUDGMENT**

COMES NOW Plaintiff for the above-captioned action. On or about June 19, 2019, Defendant's filed an Opposition to Plaintiff Leonard Villafranco's Motion for Relief from Judgment.

In Defendant's opposition, they assert the instant matter was listed on the deficiency list for both March and April 2019. A copy of these deficiency lists, which were included as an exhibit to the Defense opposition (See Dkt 1977, Hulse Decl. Ex.C) is attached here to as Exhibit "A".

The attached deficiency notices for March 2019 and April 2019 do in fact list the instant matter as deficient and up for dismissal. However, those lists name Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A. as Plaintiff's Counsel. Thus the Law firm of Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A, and not undersigned was notified of the deficiency in the instant matter.

This, in fact, demonstrates that undersigned was not provided with the required notice the instant matter was deficient prior to its dismissal.

In fact, the March and April deficiency notices submitted to undersigned informed of other unrelated matter which were deficient. (See Plaintiff Motion for Relief From Judgment or Order, Dkt No. 1927, Exhibits A and B) As a result, undersigned was left with a good faith belief the instant matter was intentionally removed from the deficiency list and therefore not subject to dismissal.

Undersigned is not required to interpret or guess why the matter was removed from the deficiency list. If Defendant advises a matter is not deficient, then it is just that, not deficient. If it is not deficient then it is not subject to dismissal.

Dated: June 20, 2019

Respectfully Submitted

/s/ Travis R. Walker

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Defendants' PFS List 3: Core Deficiencies Remained Following Notice and Response
(Updated March 12, 2018)

Case Number	Title	Final Deficiency Sent	Prior Listing	Firm Name
0:18-cv-00852-JNE-DTS	Villafranco, Leonard v. 3M Company et al	8/7/2018	11/9/2018 12/14/2018 1/11/2019 2/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A
0:18-cv-01051-JNE-DTS	Johnson, Alvin v. 3M Company	11/15/2018	12/14/2018 1/11/2019 2/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A
0:18-cv-01103-JNE-DTS	Tedford, Louise v. 3M Company	8/17/2018	11/9/2018 12/14/2018 1/11/2019 2/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA
0:18-cv-01167-JNE-DTS	Eans, James v. 3M Company	8/24/2018	11/9/2018 12/14/2018 1/11/2019 2/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA
0:18-cv-01169-JNE-DTS	Gregory, Janice v. 3M Company	12/3/2018	2/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA
18-cv-01654-JNE-DTS	Terrell, Elizabeth v. 3M Company et al	10/11/2018	12/14/2018 1/11/2019 2/15/2019	Morris Law Firm
0:15-cv-03950-JNE-DTS	LeBlanc, John (Shirley Thibodeaux) v. 3M Company et al	10/8/2018	12/14/2018 1/11/2019 2/15/2019	Law Offices of Travis Walker, PA
0:17-cv-03573-JNE-DTS	Parker, Lloyd v. 3M Company et al	10/11/2018	1/11/2019 2/15/2019	Bernstein Liebhard LLP
0:17-cv-04476-JNE-DTS	Holstine, Rachel v. 3M Company et al	9/12/2018	12/14/2018 1/11/2019 2/15/2019	Bernstein Liebhard LLP
0:18-cv-00205-JNE-DTS	Shulz, Shelley v. 3M Company et al	10/16/2018	2/15/2019	Bernstein Liebhard LLP
0:18-cv-00670-JNE-DTS	Darwick, Robert v. 3M Company	7/18/2018	8/10/2018 9/17/2018 10/12/2018 11/9/2018 12/14/2018 1/11/2019 2/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A

Yellow highlighting indicates that the case was previously listed per PTO 14 (Dkt. No. 117).
Pink highlighting indicates that the case is subject to Defendants' Pending Motion to Dismiss.



Defendants' PFS List 3: Core Deficiencies Remained Following Notice and Response

(Updated April 9, 2019)

Case Number	Title	Final Deficiency Sent	Prior Listing	Firm Name
0:18-cv-00852-JNE-DTS	Villafranco, Leonard v. 3M Company et al	8/7/2018	11/9/2018 12/14/2018 1/11/2019 2/15/2019 3/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A
0:18-cv-01051-JNE-DTS	Johnson, Alvin v. 3M Company	11/15/2018	12/14/2018 1/11/2019 2/15/2019 3/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A
0:18-cv-01103-JNE-DTS	Tedford, Louise v. 3M Company	8/17/2018	11/9/2018 12/14/2018 1/11/2019 2/15/2019 3/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA
0:18-cv-01167-JNE-DTS	Eans, James v. 3M Company	8/24/2018	11/9/2018 12/14/2018 1/11/2019 2/15/2019 3/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA
0:18-cv-01169-JNE-DTS	Gregory, Janice v. 3M Company	12/3/2018	2/15/2019 3/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA
18-cv-01654-JNE-DTS	Terrell, Elizabeth v. 3M Company et al	10/11/2018	12/14/2018 1/11/2019 2/15/2019 3/15/2019	Morris Law Firm
0:15-cv-03950-JNE-DTS	LeBlanc, John (Shirley Thibodeaux) v. 3M Company et al	10/8/2018	12/14/2018 1/11/2019 2/15/2019 3/15/2019	Law Offices of Travis Walker, PA
0:17-cv-00712-JNE-DTS	Haladay, Jeffrey (OBO Harold Owens) v. 3M Company	8/3/2018	11/9/2018 12/14/2018 1/11/2019 2/15/2019	Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA
0:17-cv-03573-JNE-DTS	Parker, Lloyd v. 3M Company et al	10/11/2018	1/11/2019 2/15/2019 3/15/2019	Bernstein Liebhard LLP
0:17-cv-04476-JNE-DTS	Holstine, Rachel v. 3M Company et al	9/12/2018	12/14/2018 1/11/2019 2/15/2019 3/15/2019	Bernstein Liebhard LLP

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Pink highlighting indicates that the case is subject to Defendants' Pending Motion to Dismiss (Dkt. No. 1828).